

Doc.  
3776

COOPERATION AGREEMENT  
REGARDING THE PLACEMENT AND COMMUNITY ACCEPTANCE  
OF GROUP CARE RESIDENCES, LIMITED, WITHIN  
THE CITY OF BOSTON

City of Boston

Boston Redevelopment Authority

Commonwealth of Massachusetts  
Department of Mental Health

May, 1979

## CONTENTS

|  | <u>Page</u> |
|--|-------------|
| PREAMBLE   | 1           |
| I. GENERAL PROVISIONS  | 2           |
| II. OVERALL PLANNING PROCESS   | 4           |
| III. NEIGHBORHOOD PLANNING/<br>SITE SELECTION PROCESS                    | 5           |
| IV. CERTIFICATION OF COMPLIANCE  | 7           |
| V. REAL ESTATE TAXES TO THE CITY OF BOSTON/<br>PAYMENTS IN LIEU OF TAXES | 7           |
| ATTACHMENTS  |             |



## PREAMBLE

- WHEREAS it is the policy of the Commonwealth to provide essential services for mentally ill and mentally retarded persons in the most accessible, least restrictive setting close to home; and
- WHEREAS it is the policy of the Department of Mental Health (DMH) to cooperate through the Regional and Area Offices of Region VI,\* with the City of Boston and its citizens to facilitate and foster community acceptance of the Department's clients and programs; and
- WHEREAS both the City of Boston and the Department of Mental Health agree that planning and implementation of community residence programs for mentally ill and mentally retarded Boston residents must include involvement of local residents, through the City of Boston Little City Halls, through the Boston Redevelopment Authority Neighborhood Planning Program, and through the Commonwealth of Massachusetts Community Mental Health and Retardation Area Boards; and
- WHEREAS it is the policy of the Department of Mental Health that its Region VI Office and each Area Office in Region VI shall establish an ongoing relationship with the City of Boston; and
- WHEREAS the City of Boston is committed to providing decent housing for all residents of the City, pursuant to Federal statutes and regulations; and
- WHEREAS Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, provides that no otherwise qualified handicapped individual in the United States, shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance; and
- WHEREAS The City of Boston must, in connection with the Community Development Block Grants Program (CDBG) of the United States Department of Housing and Urban Development, submit a Housing Assistance Plan (HAP) which estimates the housing assistance needs of lower-income persons, including mentally handicapped persons, residing or expected to reside in the community in the program year;
- THEREFORE The City of Boston, the Boston Redevelopment Authority and the Commonwealth of Massachusetts acting through its Department of Mental Health agree as follows:

---

\* See "Definitions" section of this Agreement (Part I.A).



## I. GENERAL PROVISIONS

### A. Definitions

Whenever the following terms are used in this agreement, they will have these meanings:

1. "Group care residence, limited" shall be defined as "premises licensed, regulated or operated by the Commonwealth of Massachusetts or operated by a vendor under contract with the Commonwealth for the residential care or supervision in any single dwelling unit of no fewer than five (5) nor more than twelve (12) mentally ill, mentally retarded, or physically handicapped persons, plus resident staff."
2. "Programs having affiliation with the Department of Mental Health, or group care residences, limited, having affiliation with the Department of Mental Health" shall be defined as "Those programs or group care residences, limited, which receive Department of Mental Health funding."
3. "Vendor" shall be defined as "the operator of the group care residence, limited, facility."
4. "Region VI" shall be defined as "the Commonwealth of Massachusetts Department of Mental Health's Region which includes the City of Boston, Brookline, Chelsea, Winthrop and Revere."
5. "Regional Services Administrator (RSA)" shall be defined as "the Department of Mental Health's Administrator in charge of the Region VI Office, who is appointed by the Commissioner of Mental Health."
6. "Region VI Catchment Areas" shall be defined as "the Commonwealth of Massachusetts, Department of Mental Health's sub-areas within Region VI as shown on Attachment 1."
7. "Area Board" shall be defined as "the Department of Mental Health's Catchment Area Board with general responsibilities to act as the representative of Citizens in the Area and to advise the Department regarding the local needs in developing mental health and retardation services." (See Attachment 2 for a more complete definition).
8. "Area Director" shall be defined as "the Department of Mental Health's Catchment Area Director, who is appointed by the Commissioner of Mental Health".



9. "Boston Redevelopment Authority (BRA)" shall be defined as "the agency solely responsible for the City of Boston's planning and urban renewal activities."
10. "Boston Redevelopment Authority (BRA) Neighborhood Planning Program" shall be defined as "the BRA planning staff which is assigned to the various neighborhoods within the City of Boston".
11. "Office of Public Services (OPS)" shall be defined as "the division of the Mayor's Office of Boston responsible for supervision and administration of the eighteen (18) Little City Halls in the City of Boston".
12. "Little City Halls (LCH)" shall be defined as "the local service centers operated by the Mayor's Office of Public Service. Each Little City Hall serves a defined area of the City of Boston under the overall direction and supervision of a Little City Hall Manager who is in turn accountable to the Director of the Office of Public Service".

B. Relation of this Agreement to the City of Boston Zoning Code

1. This Agreement shall take effect immediately upon passage of the proposed "Group Care Residences, Limited" Amendment to the Boston Zoning Code (See Attachment 3).
2. The proposed "Group Care Residence, Limited" Amendment provides that such a facility will be an allowed use in all residential and business districts in the City of Boston only if such a facility is located no closer than 1,000 feet from any other group care residence, limited, facility and only if this Agreement is in effect. For such facilities closer than 1,000 feet from any other group care residence, limited, facility, conditional use permission shall be required.
3. Any existing group care residence, limited, facility that exists prior to the enactment of this Amendment and is located closer than 1,000 feet from any other group care residence, limited, facility shall be regarded as a legal non-conforming use as defined in the Boston Zoning Code.

C. Duration, Modification and Termination of the Agreement

1. This agreement shall be in effect for a one (1) year term, beginning with the date of passage of the proposed "Group Care Residence, Limited" Amendment to the Boston Zoning Code.



2. This Agreement shall automatically remain in effect for successive one (1) year terms, unless terminated according to procedures set forth in this Agreement.
3. This Agreement may be modified upon written consent of all parties.
4. This Agreement may be terminated by any party upon six (6) months written notice by that party to all the other parties.

## II. OVERALL PLANNING PROCESS

### A. Department of Mental Health

1. The Region VI Office shall notify the Boston Redevelopment Authority (BRA), as the City's Planning Agency, annually, of the number of mentally handicapped persons identified to be in need of residential programs. This number shall include current City residents and persons in State facilities having meaningful ties with the City of Boston. This annual notification shall include the number of mentally handicapped persons, by Catchment Area, projected to move into Department-related residential programs in the program year. (See Attachments 1 and 4).
2. Each Area Board shall annually inform interested persons of plans for the Community Residential Program during the coming year at one of its public meetings. (See Attachment 2 for description of Area Boards).
3. The Area Offices and the Area Boards shall work with the Little City Halls and with the BRA in identifying appropriate locations for "group care residences, limited" in each Area. (See Attachment 5 for current locations of community group care residences limited, within the City of Boston).

### B. City of Boston/Boston Redevelopment Authority

1. The City will incorporate the needs of mentally handicapped persons into its Housing Assistance Plans and CDBG Program plans.
2. The City, through the Mayor's Office, will assist DMH in obtaining access to rent subsidies and other forms of housing assistance for DMH clients and/or programs (such as CDBG funds for renovation and barrier-free modifications).



3. The Little City Halls and/or BRA Neighborhood Planning Program will provide input to DMH on possible appropriate locations for "group care residences, limited" facilities.

### III. NEIGHBORHOOD PLANNING/SITE SELECTION PROCESS

#### A. Department of Mental Health

1. The Area Director shall notify the appropriate Little City Hall Manager and the appropriate Community Mental Health and Retardation Area Board when a site for a "group care residence, limited" facility is identified.
  - a. If the site is to be purchased, the Area Director shall notify the Little City Hall Manager and the Community Mental Health and Retardation Area Board in writing not less than 21 days prior to the signing of a purchase and sale agreement.
  - b. If an entire structure is to be rented, the Area Director shall notify the Little City Hall Manager and the Community Mental and Retardation Area Board in writing not less than 21 days prior to occupancy.
2. During the interim period specified in III.A.1.a. or III.A.1.b., the Region VI Office shall conduct a pre-licensing inspection, and shall invite the Little City Hall Manager to be present as an observer.
3. If by the end of the appropriate period specified in Sections III.A.1.a. or III.A.1.b., the Little City Hall has not objected to the site, the site shall be deemed to qualify for a Certificate of Compliance as provided for in Section IV of this Agreement.
4. If the Little City Hall Manager objects to the site identified, the Area Director shall consult with the vendor, the Little City Hall Manager, the Community Mental Health and Retardation Area Board and the BRA and shall either:
  - a. jointly convene a community meeting with the Little City Hall Manager, or
  - b. choose an alternative site within the Area.

#### B. Community Mental Health and Retardation Area Boards

1. If it is determined that a community meeting shall be convened:
  - a. The appropriate Area Board shall preside at the meeting.



- b. Not less than 7 days prior to the date of such meeting, the Area Board and the Little City Hall shall jointly publish notice of such meeting in the appropriate weekly community newspaper.
  - c. The purpose of the meeting shall be to permit community residents to express their support and reservations about the appropriateness of the identified site.
  - d. Within 5 days after the community meeting, the Area Board shall decide whether or not the identified site shall be selected.
  - e. The Area Board shall notify the Little City Hall Manager in writing of its decision and the reasons therefor. This decision and the supporting reasons shall be a public record. Such decision shall have such finality as the law provides.
  - f. Such approval of the site by the Area Board shall qualify the site for a Certificate of Compliance as provided for in Section IV of this Agreement.
2. If alternative sites are sought:
- a. the procedure established in III.A. through III.B.1.e. shall be repeated, except
  - b. the Area Board shall have the option of selecting any site which has been the subject of a community meeting as the site for the "group care residence, limited" facility. Such decision shall have such finality as the law provides.

C. City of Boston/Boston Redevelopment Authority

- 1. If there are any objections to the first identified site, the Little City Hall Manager shall, within 10 days after date of Area Director's notice, notify the Area Director in writing of the objections.
- 2. If it is determined that a community meeting shall be convened as per Section III.A.3.a., the appropriate Little City Hall Manager shall cooperate with the Area Board in convening and publishing notice of such meeting as per Section III.B.1.b.
- 3. If objections to the first identified site cannot be resolved, the Little City Hall Manager shall work with the Area Office, the vendor and the BRA to locate an alternative site.



4. If there are objections to any alternative identified site, the Little City Hall Manager shall, within 5 days after the date of the Area Director's notice, notify the Area Director in writing of the objections.
5. When a site has been finally selected and DMH has certified compliance with this Agreement as provided for in Section IV of this Agreement, the City shall make reasonable efforts to expedite issuance of all appropriate permits, licenses and other forms of approval required by law to ready the site for occupancy.

#### IV. CERTIFICATION OF COMPLIANCE

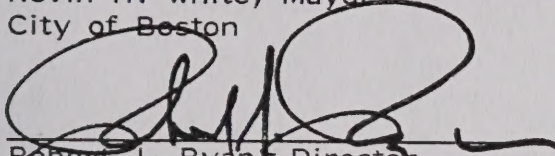
- A. When a site has been finally selected in accordance with the procedures established in this Agreement, for a "Group Care Residence, Limited," the DMH Region VI Office shall issue a Certificate of Compliance for that site to the vendor.
- B. The Certificate of Compliance shall be deemed by the City as proof that the use of the site selected for a "Group Care Residence, Limited" constitutes an allowed use pursuant to the Group Care, Residence, Limited Amendment and this Agreement.

#### V. REAL ESTATE TAXES TO THE CITY OF BOSTON/ PAYMENTS IN LIEU OF TAXES

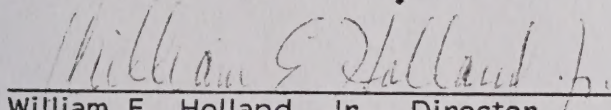
- A. At the present time, all existing group care residences, limited, having affiliation with the Department of Mental Health are paying taxes or are making payment in lieu of taxes to the City of Boston. The Department of Mental Health shall pursue all reasonable means to insure that such residences continue to make such payments.
- B. For group care residence, limited, facilities, providing for DMH clients, who are, receiving rental assistance pursuant to Section 8 of the U.S. Housing Act of 1937, 42 U.S.C. 1437f, DMH shall require payment in lieu of local real property taxes as a condition for contracting such payment shall be based on the proportion of the residence occupied by persons receiving Section 8 Rental Assistance in keeping with the City's model Section 8/6A contract payment guidelines.



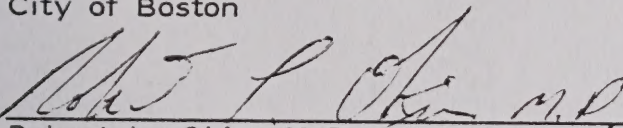
Kevin H. White, Mayor  
City of Boston



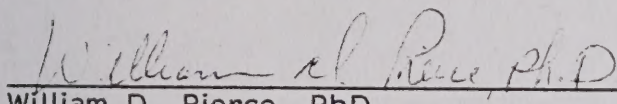
Robert J. Ryan, Director  
Boston Redevelopment Authority



William E. Holland, Jr., Director  
Office of Public Service  
City of Boston

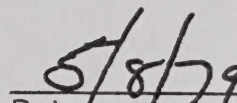


Robert L. Okin, M.D., Commissioner  
Department of Mental Health  
Commonwealth of Massachusetts

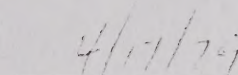


William D. Pierce, PhD.  
Regional Services Administrator  
Region VI  
Department of Mental Health  
Commonwealth of Massachusetts

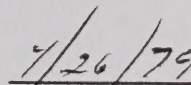
Date



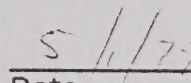
Date 5/8/79



Date 4/17/79



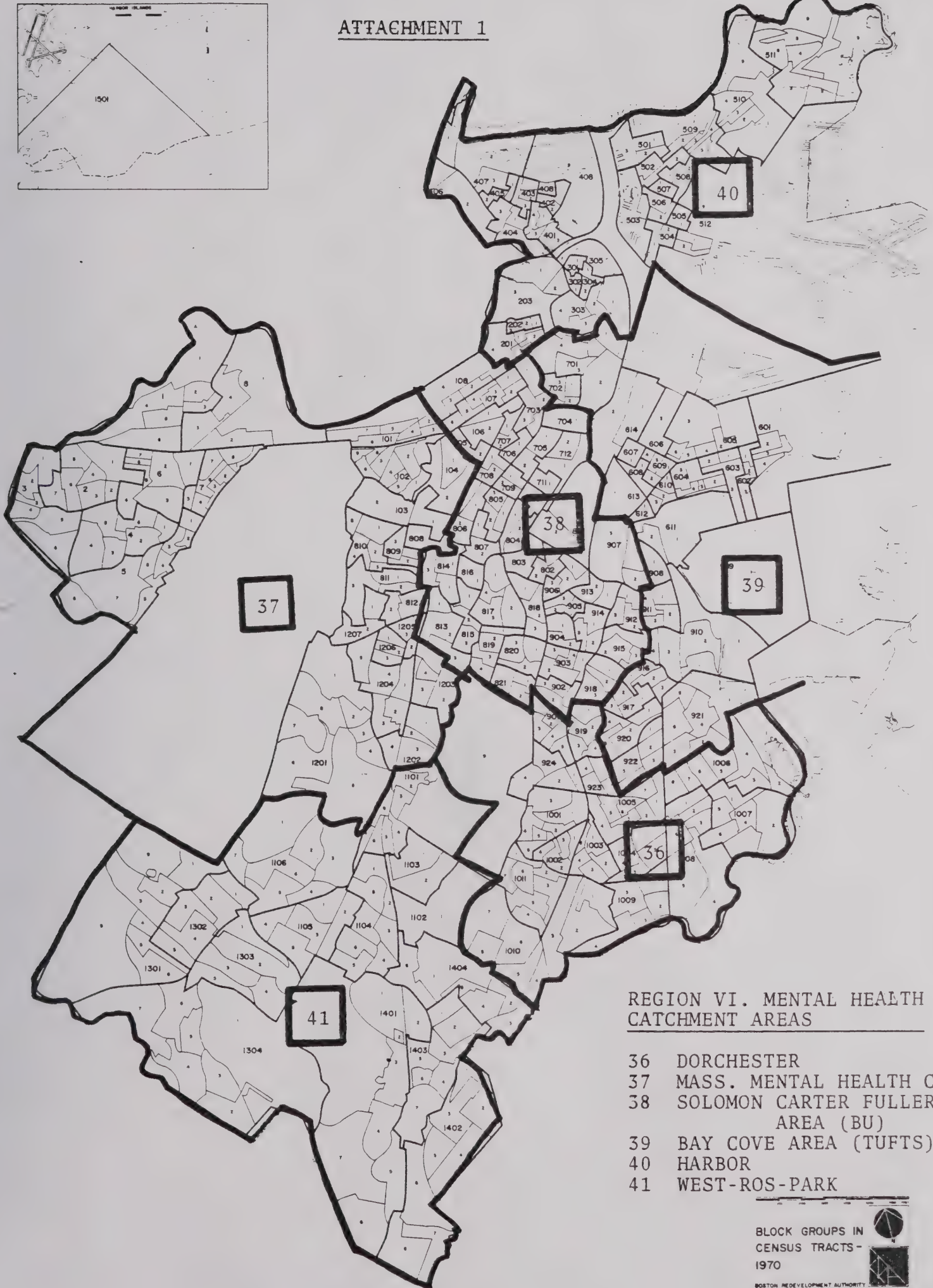
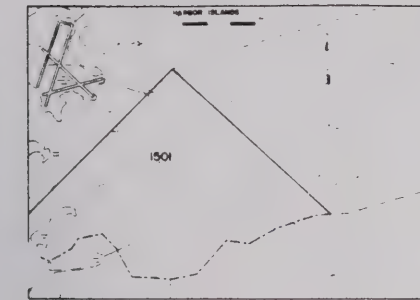
Date 7/26/79



Date 5/1/79



# ATTACHMENT 1



## REGION VI. MENTAL HEALTH CATCHMENT AREAS

- 36 DORCHESTER
- 37 MASS. MENTAL HEALTH CT.
- 38 SOLOMON CARTER FULLER  
AREA (BU)
- 39 BAY COVE AREA (TUFTS)
- 40 HARBOR
- 41 WEST-ROS-PARK

BLOCK GROUPS IN  
CENSUS TRACTS -  
1970

BOSTON REDEVELOPMENT AUTHORITY



## ATTACHMENT 2

### Community Mental Health and Retardation Area Boards

#### Commonwealth of Massachusetts

#### Questions & Answers

The Comprehensive Mental Health and Mental Retardation Services Act, enacted in 1966 by the Massachusetts General Court, provides for the establishment of Community Mental Health and Mental Retardation Area Boards. Currently 41 Area Boards are functioning throughout the Commonwealth, establishing priorities and overseeing programs in local catchment areas.

1. Who Serves on the Area Boards?

There are 21 members on each Area Board, 14 of whom live within the Area and 7 who either live or work within the Area. By law, 4 members of the Board must be selected from Area mental health associations and 4 from Area associations for mentally retarded people. Fourteen members must be persons other than state employees and no one may be an employee of the Department of Mental Health. By recent policy agreement, each Area Board must appoint one representative from the local Office for Children Council to its membership.

2. How Are Board Members Selected?

Board members are recommended by a subcommittee of the Board, nominated by the total Board and then approved and appointed by the Commissioner of the Department of Mental Health. No member may serve for more than two consecutive three-year terms. Each Board establishes its own procedures for removing members who are not adequately performing their duties, but these are subject to the approval of the Commissioner.

A president, and any other offices deemed appropriate, must be elected annually from among the Board members. Rules for proper organization and for procedures at meetings are determined by the Board. These rules and any subsequent amendments must be submitted to the Commissioner for approval.

3. How Often Do Boards Meet?

Boards are required to hold regular meetings and to convene special meetings upon the call of the president, or ten members of the Board, or the Area Director or the Regional Service Administrator of the Department of Mental Health. The Area Director must be notified of, and may participate in, all meetings, but he or she may not vote.



4. What are the Responsibilities of the Boards?

The statutory duties and powers of the Area Board include the following:

- |   |  |
|---|--|
| REPRESENTATIVE  | 1. to act as the representative of citizens of the Area;   |
| LOCAL NEEDS AND RESOURCES   | 2. to advise regarding local needs in developing mental health and retardation services;   |
| RECRUITING AREA DIRECTOR  | 3. to advise regarding the recruitment and selection of Area Director and Associate Area Director (appointed by the Commissioner);   |
| BUDGET AND PLAN   | 4. to review and approve the annual plan and to make recommendations concerning the annual budget for the comprehensive mental health and retardation services of the area;  |
| CONTRACTS   | 5. to review arrangements and contracts for programs and services which are a part of the program of the area, but which are not conducted within Commonwealth-operated facilities;  |
| PERSONAL RECRUITMENT,<br>PRIORITY SETTING,<br>ADMISSION POLICIES,<br>INTER-AGENCY RELATIONSHIPS | 6. to consult with the Commissioner in personnel recruitment and appointment policies, in the establishment of program priorities for the area, in admission policies regarding relationships with other agencies and organizations;   |
| RECEIVE FUNDS   | 7. to receive and administer any gift or bequest of personal property or funds in the interest of the Area program of mental health and retardation services, or for any special purpose as indicated in the gift or grant in trust, or to receive funds under contracts or other agreements from community sources, |

including municipalities, for the rendering of services in collaboration with such municipal or other community or private agencies providing cooperative or complementary services;

#### CONTACT WITH ADVISORY COUNCIL

8. to discuss with the Mental Health Advisory Council any matters concerning the Area programs.

#### 5. Do the Boards Have Any Additional Responsibilities?

Over the years, in the execution of these powers and duties, a number of informal Area Board roles have evolved and are generally recognized as indispensable Area Board functions. These include:

##### Fund Raising

For area mental health, retardation and community services;

##### Legislation

Working with local and statewide officials to ensure funding of Area Programs and in support of Departmental policies;

##### Budgeting and Planning

For specific Area programs and services;

##### Evaluations and Monitoring

Of DMH funded or operated Area programs, services and contracts; citizens are in a good position to monitor and evaluate the service aspects of the program to determine the relationship to the quality of life, particularly in vocational placements and community living situations;

##### Public Relations

For the needs of the mentally ill and retarded, including activities to enhance acceptance of these groups by the community.



ATTACHMENT 3

Text Amendment Application No.  
Advisor to the Zoning Commission  
Group Care Residences, Limited

TO THE ZONING COMMISSION  
OF THE CITY OF BOSTON:

The Advisor to the Zoning Commission hereby petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956, as amended, as follows:

1. By inserting in Section 2-1, respecting the meaning of certain words and phrases following clause (22A) the following definition:

(22B) "Group care residences, limited", premises licensed, regulated or operated by the Commonwealth of Massachusetts or operated by a vendor under contract with the Commonwealth for the residential care or supervision in any single dwelling unit of no fewer than five (5), nor more than twelve (12) mentally ill, mentally retarded, or physically handicapped persons, plus resident staff.

2. By inserting in Table A of Section 8-7 following Use Item No. 7A the following use item:

7B Limited group care residence as defined by clause 22B of Section 2-1.....A\*A\*A\*/A\*A\*/CCF

\* Provided that (1) no group care residence, limited, is within 1,000 feet of another group care residence, limited, and (2) a Cooperation Agreement exists relating to the location and operation of such facilities between the Boston Redevelopment Authority, the City of Boston and the Agency of the Commonwealth operating, licensing or regulating such facilities; otherwise C.

3. By inserting at the end of the second sentence of Section 14-2, respecting lot area per dwelling unit, the following:

; and further provided that a limited group care residence as defined in clause (22B) of Section 2-1 shall be deemed to constitute one dwelling unit for purposes of this article.

4. By inserting in Section 23-1, respecting off-street parking requirements for residential uses, in the enumeration of use items, after the number 7A, the following number:

7B

5. By inserting in Section 24-1, respecting off-street loading requirements, in the listing of Group II Uses, following the Number 7A, the following number:

7B

Petitioner: Advisor of the Zoning Commission

By: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No. 722-4300

Date: \_\_\_\_\_



#### ATTACHMENT 4

### REGIONAL SUMMARY OF RESIDENTIAL CAPACITY FOR MENTALLY RETARDED AND MENTALLY ILL PERSONS IN PROGRAMS AFFILIATED WITH THE DEPARTMENT OF MENTAL HEALTH

---

| Mental<br>Health<br>Region | Comm. of Massachusetts |                       | Capacity For<br>Mentally Retarded |                       | Capacity For<br>Mentally Ill |                       |
|----------------------------|------------------------|-----------------------|-----------------------------------|-----------------------|------------------------------|-----------------------|
|                            | <u>Population</u>      | <u>% of<br/>Total</u> | <u>#</u>                          | <u>% of<br/>Total</u> | <u>#</u>                     | <u>% of<br/>Total</u> |
| I                          | 789,798                | 13%                   | 570                               | 23%                   | 268                          | 18%                   |
| II                         | 704,551                | 12%                   | 450                               | 18%                   | 201                          | 14%                   |
| III                        | 1,148,758              | 20%                   | 354                               | 14%                   | 440                          | 30%                   |
| IVa                        | 569,396                | 10%                   | 217                               | 9%                    | 180                          | 12%                   |
| IVb                        | 884,706                | 15%                   | 320                               | 13%                   | 128                          | 9%                    |
| V                          | 975,263                | 17%                   | 341                               | 13%                   | 150                          | 10%                   |
| VI                         | 786,517                | 13%                   | 263                               | 10%                   | 101                          | 7%                    |
| Totals                     | <u>5,858,989</u>       | <u>100%</u>           | <u>2,515</u>                      | <u>100%</u>           | <u>1,468</u>                 | <u>100%</u>           |

#### Projected Placements for 1980 in Region VI

The projections by the Department of Mental Health for Fiscal Year 1980 for new placements in Group Care Limited programs within Region VI calls for the community placement of approximately 28 mentally retarded persons currently in State Schools with meaningful ties to Region VI or persons residing in Region VI, needing alternative residential placements; and for 32 mentally ill persons currently in Community Mental Health Centers in Region VI or residing in Region VI. Approximately six (6) new community residences will be needed in the City of Boston in FY 80 to meet this need.

## ATTACHMENT 5

Summary of Group Care Residences, Limited  
For Mentally Retarded and Mentally Ill Persons  
Within the City of Boston Having Affiliation with  
The Department of Mental Health

(By Mental Health Catchment Area)

---

1. Bay Cove

Vincent House  
267 West 3rd Street  
South Boston  
Capacity: 12

4. Solomon Carter Fuller  
Mental Health Center

2 Fairland Street  
Roxbury  
Capacity: 8

2. Dorchester Mental Health Center

10 Kerwin Street  
Dorchester  
Capacity: 8

5. West-Ros-Park

71 Park Street  
West Roxbury  
Capacity: 7

47 Van Winkle Street  
Dorchester  
Capacity: 8

3. Mass. Mental Health Center

Wilson House  
25 Virginia Street  
Dorchester  
Capacity: 11

117 Sheridan Street  
Jamaica Plain  
Capacity: 8

21 Virginia Street  
Dorchester  
Capacity: 7

Gartland Street House  
5 Gartland Street  
Jamaica Plain  
Capacity: 12



May 3, 1979 - Resubmitted

MEMORANDUM

BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: ZONING AMENDMENT - GROUP CARE RESIDENCES, LIMITED

On October 13, 1977, the Authority authorized the Advisor to the Zoning Commission to petition said Commission for an amendment to the text of the Boston Zoning Code which would establish and define a new use item, "group care residence, limited" for the care of no more than twelve mentally ill, mentally retarded, or physically handicapped, provided that the residence was licensed, operated, or otherwise sanctioned by the Commonwealth.

The importance of the amendment is that it will close a loophole in the present zoning code which allows any of the above group care functions to take over any legal lodging house use and convert it without further input from the community. The amendment is an important positive step towards identifying and controlling such group care installations and ensures community participation in the process.

In 1977, the Authority also stipulated that the Advisor to the Zoning Commission should petition the Zoning Commission for such an amendment only after the appropriate agencies of the Commonwealth of Massachusetts have commenced negotiations on a cooperation agreement with the Director.

During the past four months, the Authority's staff has worked closely with the Office of Public Service (OPS) and the Department of Mental Health on the detailing of such an agreement. It should also be emphasized that the Office of Public Service (the Little City Hall Program) has already signed this Agreement as has the Commissioner of Mental Health.

The Cooperation Agreement, which is attached, between the Authority, the City's Office of Public Service (OPS) and the Department of Mental (DMH) provides for significant benefits and assurances to the City and its neighborhoods regarding the placement and operation of these residences. The Agreement also provides that DMH will make efforts to insure that these residences pay real estate taxes and will require that all programs receiving federal Section 8 rental assistance include such payments in their program requirements.

Under this Agreement, the Authority's staff and Little City Hall Managers will play important roles in identifying appropriate locations for these residences; and where locations are controversial, local Community Mental Health and Retardation Area Boards, largely composed of community residents, will jointly convene community meetings with OPS to resolve conflicts with the location.

The Agreement provides for the added control over the placement of these residences, through a minimum distance requirement between such residences of 1,000 feet, which in practice is expected to be much greater because of input from the Authority's staff.



The original provision requiring a minimum distance of 2,000 feet between such residences is unnecessary because of the greater community input and City controls provided for in the Cooperation Agreement. In addition, the Department of Mental Health, while supporting the proposed 1,000 foot distance requirement finds the 2,000 foot requirement too restrictive and not in conformance with its own directives stipulating the lesser distance of 1,000 feet.

Finally, the Agreement provides for controls over the operation of these residences through community and city participation in DMH's licensing review after an appropriate location is selected.

I, therefore, recommend that the Advisor to the Zoning Commission be authorized to petition said Commission for an amendment to the text of the Boston Zoning Code dealing with group care residences, limited, and which provides for a minimum distance between such residences of 1,000 feet.

VOTED: That the Boston Redevelopment Authority hereby authorizes the Advisor to the Zoning Commission to petition said Commission for an amendment to the text of the Boston Zoning Code dealing with group care residences that is in substantial accord with the attached draft petition and further authorizes the Director to execute the Cooperation Agreement on behalf of the Authority in substantially the form attached.

Attachment



